



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Planning Commission Report of March 8, 1993

MEETING DATE: March 17, 1993

PREPARED BY: Community Development Director

RECOMMENDED ACTION:

AGENDA ITEM	RECOMMENDATION
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|---------------------|---|
| a. | Recommended conditional approval of the request of Steven Pechin, Baumbach and Piazza, Inc. on behalf of Bennett and Compton to rezone 1235, 1237, 1259 and 1321 North Lilac Street from R-GA, Garden Apartment Residential to P-D(31) Planned Development District No. 31 to accommodate Woodhaven Park a proposed 8.55 acre subdivision containing 28 half-plex lots, 1 triplex lot, 1 four-plex lot and a parcel for future development. |
| b. | Recommended certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the request of Steven Pechin, Baumbach and Piazza, Inc. on behalf of Bennett and Compton to rezone 1235, 1237, 1259 and 1321 North Lilac Street from R-GA, Garden Apartment Residential to P-D(31), Planned Development District No. 31. |
| c. | Recommended that the City Council take steps to make the "No Left Turn" installation at Lilac Street and Eilers Lane similar to the Fairmont Avenue-Kettleman Lane installation. |
| d, e, f, g, h and i | Information only. No action required. |

BACKGROUND INFORMATION: The following actions were taken at the last regular Planning Commission meeting of March 9, 1993.

- d. Conditionally approved the request of Steven Pechin, Baumbach and Piazza, Inc. on behalf of Bennett and Compton for the approval of the Tentative Subdivision Map of Woodhaven Park, a proposed 8.55 acre subdivision containing 28 half-plex lots, 1 triplex lot, 1 four-plex lot and a parcel for future development at 1235, 1237, 1259 and 1321 North Lilac Street.

This tentative map is conditioned on the City Council approving the rezoning to P-D(31).

APPROVED: _____

Thomas A. Peterson

THOMAS A. PETERSON
City Manager



recycled paper

- e. Continued consideration of the following requests of Chris R. Keszler and Fred Baker until 7:30 p.m. Monday, March 22, 1993.
 - 1. For a General Plan Amendment to redesignate the parcel at 451 East Turner Road (APN 015-230-28) from PR, Planned Residential to NCC, Neighborhood/Community Commercial;
 - 2. To prezone the parcel at 451 East Turner Road (APN 015-230-28) C-S, Commercial Shopping Center; and
 - 3. to certify the filing of a negative declaration by the Community Development Director as adequate environmental documentation on the above projects.
- f. Set a Public Hearing for 7:30 p.m. Monday, March 22, 1993 to consider recommending the amendment to Title 17 of the Municipal Code (Zoning Restrictions) to provide for Administrative Deviations.
- g. Received correspondence from Lodi Unified District Board President, Rick Sousa, urging continued consideration of school facilities when approving development plans.
- h. Set the following requests of Ronald B. Thomas et al for Public Hearing at 7:30 p.m. Monday, April 12, 1993:
 - 1. For a general plan amendment to redesignate the parcels at 13737 N. Cherokee Lane (APN 062-290-18), 2250 South Stockton Street (APN 062-290-08), and 13845 North Cherokee Lane (APN 062-290-07) from PR, Planned Residential to LDR, Low Density Residential;
 - 2. to prezone the parcels at 13737 N. Cherokee Lane (APN 062-290-18), 2250 South Stockton Street (APN 062-290-08), and 13845 North Cherokee Lane (APN 062-290-07) R-2, Single- Family Residential; and
 - 3. to certify the filing of a negative declaration by the Community Development Director as adequate environmental documentation on the above projects.
- i. Set the following requests of J. Jeffrey Kirst, et al for Public Hearing at 7:30 p.m. Monday, April 12, 1993:
 - 1. For a general plan amendment to redesignate the parcels located within the area bounded by the Woodbridge Irrigation Canal on the north and east, West Kettleman Lane (Hwy 12) on the south, and Lower Sacramento Road on the west from PR, Planned Residential, and O, Office to LDR, Low Density Residential and C, Office;

2. to prezone the parcels located within the area bounded by the Woodbridge Irrigation Canal on the north and east, West Kettleman Lane (Hwy 12) on the south, and Lower Sacramento Road on the west R-2, Single-Family Residential, and RCP, Residential-Commercial-Professional; and
3. to certify the filing of a negative declaration by the Community Development Director as adequate environmental documentation on the above projects.

FUNDING: None required


James B. Schroeder
Community Development Director

JBS/cg



Lodi Unified School District

OFFICE OF THE SUPERINTENDENT

1305 East Vine Street, Lodi, California 95240

February 18, 1993

Mr. Larry Mindt
Chairman of the City of Lodi Planning Commission
Post Office Box 3006
Lodi, CA 95241-1910

Dear Chairman Mindt and Members of the Commission:

On February 2, 1993 the Lodi Unified School District Governing Board adopted Resolution 93-15 in support of the City's General Plan policies regarding adequate school facilities. With this resolution we respectfully request your continued support and implementation of these most-important policies.

In the wake of SB 1287 there is a great deal of consternation about how this bill (and potential clean-up legislation) may affect local government consideration of adequate school facilities in relation to new residential development. School districts uniformly hold the position that local agencies do have the authority (and responsibility) to consider all aspects of the community infrastructure, including school facilities, when deciding the viability and benefits of new development. It appears that SB 1287 limits the amount that can be required, but it did not remove the authority to condition that a Mello Roos Community Facilities District be formed for provision of school facilities.

At the present time, Lodi Unified School District is continuing to work with the Building Industry Association on an agreeable level of mitigation. These efforts will not be completed until this summer after the District's Future Facilities Task Force completes its work. In the interim, we are asking that developers of proposed projects sign the same agreement as those which are presently in force.

We are diligently pursuing every option for the housing of all of the existing and future students from the City of Lodi area of our District. Your consideration of school facilities is an important and integral part of the community planning process is acknowledged and applauded.

Thank you.

Sincerely,

Rick Souza
President of the Governing Board

Attachment

cc: Members of the Planning Commission

BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL DISTRICT OF
THE COUNTY OF SAN JOAQUIN,
STATE OF CALIFORNIA

RESOLUTION 93-15

RESOLUTION DECLARING CONTINUED SUPPORT FOR AND ADHERENCE TO THE
SCHOOL FACILITY PROVISIONS IN THE GENERAL PLAN OF
THE CITY OF LODI

WHEREAS, representatives of the school districts of San Joaquin County and representatives of the Building Industry Association of the Delta (BIA), after a period of lengthy and intense negotiations, reached a good faith agreement on language to be included in the City of Lodi General Plan to assure that adequate school facilities would be available and that the cost of these facilities would be financed in a way that does not place an unfair economic burden upon new development; and

WHEREAS, the language agreed upon by the Lodi Unified School District and the BIA was jointly presented to the City of Lodi Planning Commission and City Council and recommended for adoption as part of the General Plan; and

WHEREAS, the Lodi City Council has adopted its General Plan which includes the language jointly recommended by the Lodi Unified School District and the BIA; and

WHEREAS, SB 1287 became law on January 1, 1993, and deals with the financing of school facilities; and

WHEREAS, local agencies have the authority to deny new development proposals on the basis of inadequate services or infrastructure, including school facilities;

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Lodi Unified School District hereby reaffirms its commitment to the school facility policies as agreed to with the development community, and adopted by the Lodi City Council, and hereby requests the continued implementation of these policies by the City of Lodi.

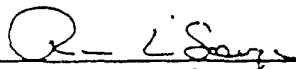
PASSED AND ADOPTED this 2nd day of February 1993, by the following vote:

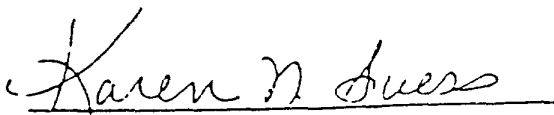
AYES: E. Davis, K. Davis., R. Souza, K. Suess, S. Heberle, M. Rude, B. Weaver,

NOES: None

ABSENT: None

ATTEST: None


Rick Souza, President of the
Board of Trustees


Karen Suess, Clerk of the
Board of Trustees



Lodi Unified School District

OFFICE OF THE SUPERINTENDENT

1305 East Vine Street, Lodi, California 95240

March 16, 1993

Mr. Phillip Pennino, Mayor
City of Lodi
221 West Pine Street
Lodi, CA 95240

Dear Mayor Pennino:

On February 2, 1993 the Lodi Unified School District Governing Board adopted Resolution 93-15 in support of the City's General Plan policies regarding adequate school facilities. With this resolution we respectfully request your continued support and implementation of these most-important policies.

In the wake of SB 1287 there is a great deal of consternation about how this bill (and potential clean-up legislation) may affect local government consideration of adequate school facilities in relation to new residential development. School districts uniformly hold the position that local agencies do have the authority (and responsibility) to consider all aspects of the community infrastructure, including school facilities, when deciding the viability and benefits of new development. It appears that SB 1287 limits the amount that can be required, but it did not remove the authority to condition that a Mello Roos Community Facilities District be formed for provision of school facilities.

At the present time, Lodi Unified School District is continuing to work with the Building Industry Association on an agreeable level of mitigation. These efforts will not be completed until this summer after the District's Future Facilities Task Force completes its work. In the interim, we are asking that developers of proposed projects sign the same agreement as those which are presently in force.

We are diligently pursuing every option for the housing of all of the existing and future students from the City of Lodi area of our District. Your consideration of school facilities is an important and integral part of the community planning process is acknowledged and applauded.

Thank you.

Sincerely,

Rick Souza
President of the Governing Board

Attachment

cc: City Councilmembers

**BEFORE THE BOARD OF TRUSTEES OF THE LODI UNIFIED SCHOOL DISTRICT OF
THE COUNTY OF SAN JOAQUIN,
STATE OF CALIFORNIA**

RESOLUTION 93-15

**RESOLUTION DECLARING CONTINUED SUPPORT FOR AND ADHERENCE TO THE
SCHOOL FACILITY PROVISIONS IN THE GENERAL PLAN OF
THE CITY OF LODI**

WHEREAS, representatives of the school districts of San Joaquin County and representatives of the Building Industry Association of the Delta (BIA), after a period of lengthy and intense negotiations, reached a good faith agreement on language to be included in the City of Lodi General Plan to assure that adequate school facilities would be available, and that the cost of these facilities would be financed in a way that does not place an unfair economic burden upon new development; and

WHEREAS, the language agreed upon by the Lodi Unified School District and the BIA was jointly presented to the City of Lodi Planning Commission and City Council and recommended for adoption as part of the General Plan; and

WHEREAS, the Lodi City Council has adopted its General Plan which includes the language jointly recommended by the Lodi Unified School District and the BIA; and

WHEREAS, SB 1287 became law on January 1, 1993, and deals with the financing of school facilities; and

WHEREAS, local agencies have the authority to deny new development proposals on the basis of inadequate services or infrastructure, including school facilities;

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Lodi Unified School District hereby reaffirms its commitment to the school facility policies as agreed to with the development community, and adopted by the Lodi City Council, and hereby requests the continued implementation of these policies by the City of Lodi.

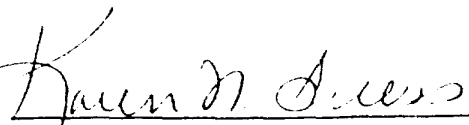
PASSED AND ADOPTED this 2nd day of February 1993, by the following vote:

AYES: E. Davis, K. Davis., R. Souza, K. Suess, S. Heberle, M. Rude, B. Weaver

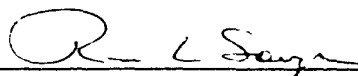
NOES: None

ABSENT: None

ATTEST: None



Karen Suess, Clerk of the
Board of Trustees



Rick Souza, President of the
Board of Trustees

DECLARATION OF MAILING

On March 19, 1993 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 19, 1993, at Lodi, California.

Jennifer M. Perrin
City Clerk

Peggy Nicolini
Peggy Nicolini
Deputy City Clerk

Exhibit "A"

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, April 21, 1993 at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the Lodi City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi CA, to hear the following matter:

- a) Planning Commission's recommended conditional approval of the request of Steven Pechin, Baumbach & Piazza, Inc. on behalf of Bennett & Compton to rezone 1235, 1237, 1259 and 1321 North Lilac Street from R-GA, Garden Apartment Residential to P-D(31) Planned Development District No. 31 to accommodate Woodhaven Park a proposed 8.55 acre subdivision containing 28 half-plex lots, 1 triplex lot, 1 four-plex lot and a parcel for future development.
- b) Planning Commission's recommended certification of the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the request of Steven Pechin, Baumbach and Piazza Inc. on behalf of Bennett and Compton to rezone 1235, 1237, 1259 and 1321 North Lilac Street from R-GA, Garden Apartment Residential to P-D(31), Planned Development District No. 31.

Information regarding this item may be obtained in the office of the Community Development Director at 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein and oral statements may be made at said hearing.

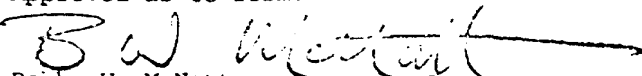
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Clerk, 221 West Pine Street, Lodi, California, at or prior to, the Public Hearing.

Dated: March 17, 1993

By Order of the Lodi City Council


Jennifer M. Perrin
City Clerk

Approved as to form:


Bobby W. McNatt
City Attorney

NOTICE05/TXTA.02J

Exhibit "B"

PUBLIC HEARING MAILING LIST

STEVE PECHIN, BAUMBACH & PIAZZA REQUEST FOR REZONE

Steve Pechin
Baumbach & Piazza
323 West Elm Street
Lodi, California 95240

Jim Schroeder
Community Development Director
City of Lodi

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY C. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

March 12, 1993

Steve Pechin
Baumbach & Piazza, Inc.
323 West Elm Street
Lodi, CA 95240

Dear Steve:

RE: Woodhaven Park
Rezoning R-GA to P-D(31)
Negative Declaration
1235, 1237, 1259 and 1321 North Lilac Street

At its meeting of Monday, March 8, 1993 the Lodi City Planning Commission recommended to the City Council approval of your request on behalf of Bennett and Compton Inc. to rezone 1235, 1237, 1259 and 1321 North Lilac Street (APN's 015-170-05, 07, 08 and 09) from R-GA, Garden Apartment Residential to P-D(31) Planned Development District No. 31 to accommodate the proposed Woodhaven Park subdivision.

In a related matter the Planning Commission recommended that the City Council certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on this project.

The Planning Commission recommended that P-D(31) conform to the following conditions:

1. that rear and side yard setbacks conform to the requirements of the R-GA, Garden Apartment Residential District;
2. that the front yard setback be set at 12 feet for enclosed patios;
3. that the length of driveways of Lots 48 and 49 be 17½ feet from the street right-of-way line;
4. that the front yard setback for the main buildings along the east-west street be 17½ feet from the right-of-way line.

Mr. Steven Pechin
March 12, 1993
Page 2

The recommendations have been forwarded to the City Clerk. She will inform you of the time and place of the City Council's public hearing.

Sincerely,


JAMES B. SCHROEDER
Community Development Director

cc: City Clerk
Don Compton